



A Guide for Battery Victims

McLean County Victim/Witness Service
William A. Yoder, State's Attorney
Law & Justice Center
104 W. Front St., Room 605
PO Box 2400
Bloomington, Illinois 61702-2400
(309) 888-5400

DEFINITIONS

Battery – If a person intentionally causes bodily harm or makes contact of an insulting or provoking nature.

Aggravated Battery – If a person, in committing a battery, causes great bodily harm or permanent disability or disfigurement.

Domestic Battery – If a person commits a battery on a family or household member.

Domestic Violence – If a person hits, chokes, kicks, threatens, harasses, or interferes with the personal liberty of another family or household member.

DAY OF COURT

Call the Victim/Witness Service to check on the status of your case before coming to court.

Please arrive at court 15 minutes before your scheduled appearance, and present your notice to the Court Clerk, who will notify the attorney handling your case. If you cannot find the courtroom, clerk, or attorney, ask persons around you, or go to the State's Attorney's Office on the sixth floor of the Law & Justice Center.

The Assistant State's Attorney will discuss your case with you before you testify.

WITNESS TIPS

Tell the truth.

Wear clean clothes and have a neat appearance.

Stop instantly when the judge interrupts you or the other attorney makes an objection.

Be serious. Avoid laughing or talking in the courtroom.

Do not argue with the judge or attorney.

Avoid distracting habits such as gum chewing.

Before testifying, try to recall the information accurately in your mind.

Speak loudly so that you can be heard. Do not nod "yes" or "no." Listen to the questions asked of you and do not give any additional information or opinions.

If you do not understand a question, ask for clarification. Do not guess at what you are being asked.

ADDITIONAL INFORMATION

Plea – If the defendant pleads guilty, you will not need to testify. Unfortunately, the State's Attorney's Office may not know the defendant is planning to plead guilty until the court date.

Continuances – The State's Attorney's Office may not learn of the continuance until the last minute; however, you will be given as much advance notice as possible. If your case is continued, you will be notified when a new court date is set.

If you are contacted by a defense attorney or an investigator, you are not obligated to talk to them. If you are unsure what to do, feel free to contact the Victim/Witness Service.

If you are threatened or intimidated, report it to the Police Department immediately and to the State's Attorney's Office as soon as possible. It is a serious crime for a defendant to threaten a victim/witness, and steps will be taken to protect you.

The State's Attorney's Office has the sole authority to determine what charges will be filed and when, if ever, a charge will be dismissed. You have no right or authority to drop charges.

RESTITUTION

If the defendant is found guilty, the judge may order restitution to be paid to the victim. Restitution covers medical expenses, property damage, and property loss.

The State's Attorney's Office will need receipts, estimates, and bills to submit to the judge to verify your losses. When contacted by the State's Attorney's Office for these bills, send them as soon as possible. If restitution is not made by the specified date, contact the Victim/Witness Service for further action.

ILLINOIS ATTORNEY GENERAL'S CRIME VICTIMS COMPENSATION PROGRAM

Eligibility:

The innocent victim of a violent crime.

Compensation is not awarded if the loss is covered by insurance.

You and the defendant are not living together at the time your claim is filed and at the time of final decision.

COMPENSATION WILL BE PAID AS FOLLOWS

--Medical and hospital expenses; expenses incurred for counseling; loss of earnings up to \$1,000 per month or loss of support; tuition reimbursement under certain circumstances.

--Total compensation may not exceed \$27,000 per incident.

--There is no compensation for property loss or damage.

--There is no compensation for pain and suffering.

--If you qualify, contact the Victim/Witness Service for a pamphlet.

RELEASE OF EVIDENCE

Evidence may be released 30-60 days after the defendant has been sentenced—if there is no appeal. If the case is appealed, it could be much longer. Contact the Victim/Witness Service to assist you in obtaining your property.

DOMESTIC VIOLENCE VICTIM SERVICES

Have you been physically, emotionally, or sexually abused? You may qualify for counseling services, emergency shelter, and legal advocacy assistance through Countering Domestic Violence (CDV), Neville House. Neville House provides free, confidential assistance with:

24-hr. Hotline: Neville House's 24-hour hotline is professionally staffed and available to listen, answer questions, and offer referrals to victims, friends, and family members.

Emergency Shelter: Immediate help and temporary shelter are available for abused women and their children fleeing from a dangerous situation. Support is available to help develop plans and set goals for tomorrow.

Crisis Counseling and Support Groups: Educational and support groups for adults and children are available as well as one-on-one crisis counseling and advocacy services.

Order of Protection: You may be entitled to legal protection in the form of an Order of Protection. This is a judge's order that tells the person abusing you to stop harming you. Neville House victim advocates will assist in your request for an Order of Protection. This service is available through the Domestic Violence Unit, located in the State's Attorney's Office. You can call 888-5521 for more information, or to schedule an appointment. ■